

REMARKS

In accordance with the foregoing, the specification has been amended to improve form and provide improved correlation with the drawings and claims. Claims 1, 2 and 21 are amended. Claims 1, 2, 4 - 21 are pending. Claims 13 – 20 are withdrawn from consideration and claims 1, 2, 4 – 12 and 21 are under consideration. No new matter is presented in this Amendment.

Objection to the specification

At page 3 of the Office Action, the Examiner objected to the specification on the alleged grounds that Formula 3 shows a compound that contains 5 bonds in two different places at the intersection of the two aromatic rings. The specification is amended to correct Formula 3. Therefore, the rejection should be withdrawn.

Rejection of claims 1 and 4 – 12 under 35 U.S.C. §112, second paragraph

Also at page 3 of the Office Action, claims 1, 4-12 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner alleged that the compound of Formula 3 contains 5 bonds in two different places at the intersection of the two aromatic rings. The Examiner further rejected claim 1 as being vague and indefinite on the alleged grounds that there is a missing “)”. For the following reasons, this rejection is respectfully traversed and reconsideration is requested.

Claim 1 is amended to correct Formula 3 and to provide the missing “)”. Therefore, the rejection should be withdrawn.

Rejection of claims 1 and 4 – 12 under 35 U.S.C. §102 over Song

Also at page 3 of the Office Action, claims 1 and 4 -12 were rejected under 35 U.S.C. §102(e) as being anticipated by Song et al (U.S. Patent 7,150,944) (hereinafter, “Song”). The Examiner alleged that Song describes an electrolyte including benzothiophene. For the following reasons, this rejection is respectfully traversed and reconsideration is requested.

In claim 1, the description of Formula 3 is amended to delete hydrogen from the definition

of R₇. Song does not teach or suggest any compound of Formula 3 that is substituted at the location of R₇ with one of the listed substituents. Therefore, the rejection should be withdrawn.

Rejection of claims 1 – 2, 4 – 12 and 21 under 35 U.S.C. §102 over Maekawa

Also at page 4 of the Office Action, claims 1 - 2, 4 -12, and 21 were rejected under 35 U.S.C. §102(b) as being anticipated by Maekawa et al (JP 2001-15172) (hereinafter, "Maekawa"). The Examiner alleged that Maekawa describes an electrolyte comprising benzofuran or benzothiophene. For the following reasons, this rejection is respectfully traversed and reconsideration is requested.

As noted above, the description of Formula 3 in claim 1 is amended to delete hydrogen from the definition of R₇. Maekawa does not teach or suggest any compound of Formula 3 that is substituted at the location of R₇ with one of the listed substituents.

Moreover, claim 2 is amended to delete 2,3-benzofuran, and claims 2 and 21 are amended to delete thianaphthene (which is another name for benzothiophene). Maekawa does not teach or suggest an electrolyte containing any of the remaining compounds recited in claims 2 and 21. Therefore, the rejection should be withdrawn.

Request for rejoinder of claims 13 - 20

Claims 13 – 20 depend directly or indirectly from independent claim 1. Claims 13 - 16 further define the organic solvent recited in independent claim 1. Claims 17 – 20 recite an additional ingredient in the electrolyte. Clearly, therefore, if claim 1 is allowable, claims 13 – 20 are also allowable. Accordingly, it is respectfully requested that upon the allowance of independent claim 1, that claims 13 – 20 be rejoined and allowed.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

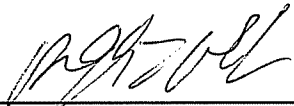
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: Oct 31, 2008

By: 
Ralph T. Webb
Registration No. 33,047

1400 Eye Street, NW
Suite 300
Washington, DC 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510